

# SENATE BILL REPORT

## SB 5327

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As Reported by Senate Committee On:  
Government Operations & Elections, February 12, 2009

**Title:** An act relating to technical corrections to election provisions.

**Brief Description:** Making technical corrections to election provisions.

**Sponsors:** Senators Oemig, Swecker, Regala, McDermott and McAuliffe; by request of Secretary of State.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/09/09, 2/12/09 [DPS, DNP].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** That Substitute Senate Bill No. 5327 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott, Pridemore and Swecker.

**Minority Report:** Do not pass.

Signed by Senators Roach, Ranking Minority Member; Benton.

**Staff:** Sharon Swanson (786-7447)

**Background:** In 2003 the Legislature reorganized and streamlined the election procedures statutes that were in Title 29. The result is the current Title 29A which now contains the laws establishing procedures for the conduct of elections.

Each member of a school board is elected by the registered voters of the school district and holds office for a term of four years and until a successor is elected and qualified. Up until 2003 first-class school districts containing a first-class city located in a county with a population of at least 210,000 could elect school board members for terms of six years.

Persons wishing to appear on a ballot for election to office other than the President or Vice President of the United States must file a declaration of candidacy. Unless otherwise provided, the filing period must begin no earlier than the first Monday in June and no later than the following Friday in the year in which the office is scheduled to be voted upon.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill (Recommended Substitute):** A first-class school district containing a first-class city located in a county with a population of 210,000 or more must hold school board elections on a biennial basis. School board members may be elected for six-year terms and serve until their successor is elected, qualified, and assumes office. If the school board reduces the length of terms from six years to four years, the reduction in the length of the term must not affect the term of office of any incumbent school board member without that person's consent. In addition, a provision must be made to appropriately stagger future elections. These provisions apply retroactively to July 1, 2004.

The declaration of candidacy filing period for city and town elective positions must be between 45 and 60 days prior to the primary election at which the initial elected officials are nominated. Any candidate may withdraw his or her declaration at any time within five days after the last day allowed for filing a declaration of candidacy.

**EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & ELECTIONS COMMITTEE (Recommended Substitute):** The substitute bill adds references to RCW 28A to clarify that qualifying school districts may utilize a six-year option for directors.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony on Original Bill:** PRO: This bill is about technical corrections from past legislation. The bill re-authorizes electing municipal officers in newly incorporated cities at spring special elections. In addition, the bill re-authorizes six-year terms for certain school districts. Both provisions were inadvertently removed from law.

**Persons Testifying:** PRO: Katie Blinn, Office of the Secretary of State; Dan Steele, Washington State School Directors' Association.